



Docket No.: 215150US0

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/079,479
Applicants: Gottlieb-Georg LINDNER, et al.
Filing Date: February 22, 2002
For: SILICA BY PRECIPITATION AT CONSTANT
ALKALI NUMBER, AND ITS USE
Group Art Unit: 1754
Examiner: Nguyen

SIR:

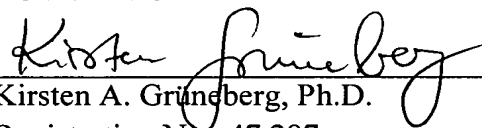
Attached hereto for filing are the following papers:

Rule 132 Declaration (executed)

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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MAIER & NEUSTADT, P.C.
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Docket No.: 2151500



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1754

Gottlieb-Georg LINDNER, et al.

SERIAL NO: 10/079,479

EXAMINER: Nguyen, Ngoc Yen M

FILED: February 22, 2002

FOR: SILICA BY PRECIPITATION AT CONSTANT ALKALI NUMBER, AND ITS
USE

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Sir:

Dr. Ralf Rausch

Now comes who deposes and states that:

1. I am a graduate of *chemistry* and received my *ph-* degree in the year *1982*

2. I have been employed by *Degussa* for *19* years as a *chemist* in the field
of *analytical characterization of silica and head of reference laboratory
for precipitated silica*

3. The following experiments were carried out by me or under my direct supervision
and control.

The Sears number of an original sample of Product A Versuch 6 of EP '755 (see Table 9 of EP'755) was measured as described on pages 13-15 of the specification and found to be 19,9 ml/5g. In addition the Sears number of an original sample of Product C Versuch 13 of EP '755 (see Table 9 of EP'755) was measured and found to be 22,6 ml/5g. Thus the Sears numbers of EP'755 are at least 10% below the Sears numbers as now claimed in Claim 1 of the present invention. Thus, the Examiner's statement that EP'755 has the same Sears number as the present invention is incorrect.

4. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to

be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

5. Further deponent saith not.

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(OSMMN 05/06)

R. Starnel

Signature

18. April 2007

Date